

REMARKS

Claims 1 - 15 were currently pending in the application. Claims 1, 6, and 11 have been amended. Accordingly, claims 1 - 15 are presented for reconsideration and reexamination in view of the following remarks.

In the outstanding Office Action, claims 1 - 15 were objected to because of informalities; and claims 1 - 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,537,296 to Kimura et al.

By this Amendment, claims 1, 6, and 11 are amended; and the prior art rejection is traversed. Support for the amendments to claims 1, 6, and 11 can be found for example in Figures 2 and 3.

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 37 U.S.C. § 132.

Objection to the Claims

The Examiner objected to the claims because of informalities. In particular, in claims 1 and 6 there is no antecedent basis for “the side” and the term “assembly” is incorrect; in claim 11 the spelling “farme” is a typographical error; and the term “assembly” is incorrect.

Response

In response, in claims 1 and 6 “the side” has been changed to --a side-- and the term “assembly” has been changed to --module--; in claim 11 the spelling “farme” has been changed to --frame--; and the term “assembly” has been changed to --module--.

As Applicant has amended the claims according to the Examiner's suggestions, Applicant respectfully requests that the objection of the claims be withdrawn.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejected claims 1 - 15 as being unpatentable over Kimura et al.

Response

Reconsideration and withdrawal of the rejection is respectfully requested.

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) that the prior art references teach or suggest all the claim limitations. Amgen, Inc. v. Chugai Pharm. Co., 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); In re Fine, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); In re Wilson, 165 USPQ 494, 496 (C.C.P.A. 1970).

It is respectfully submitted that the Kimura et al. fails to teach or suggest all the claim limitations.

Independent claims 1, 6, and 11 have been amended according to the present invention to better characterize the novel features of the invention. The backlight module of the present invention includes, *inter alia*, a stack assembly and at least one side fixing frame disposed at a side of the stack assembly.

In the stack assembly, the supporting frame is amended to include two opposite side walls, and each side wall has recesses at both ends thereof. See Figure 2 and the corresponding description in the specification which illustrate that the reflecting plates 2 and the light guiding plate

3 are placed between the side walls 11 of the supporting frame 1. In addition see Figure 3 and the corresponding description in the specification which illustrate that the recess 12 is applied to match with the protrusion 13 of the side fixing frame 6.

Kimura et al. discloses a backlight for a liquid crystal display. However, Kimura et al. does not disclose certain structural features of the claimed invention.

First, the lamp holding unit 24 (the Examiner refers to as the supporting frame) is not provided with a structure that includes a side wall, so recesses at each end of the side wall (as recited in claims 1, 6, and 11) are naturally absent from Kimura et al.

Paragraph [0027] of the present application describes that “[a] recess 12 is formed at each end of the side wall 11 for a wire 51 of the lamp assembly 5 to pass through,” the recess 12 and the protrusion 13 of the side fixing frame 6 are engaged with each other, and the wire 51 passes through the recess.

Even if the Examiner believes that the fitting groove 50 and the engaging claw 32 in Figure 3 of Kimura et al. could change their position to achieve the recess and protrusion as recited in claims 1, 6, and 11 in the present application, however, such position interchange is still unable to permit a wire to pass through the engaging grooves 34 referred to by the Examiner as a recess. Thus, the result of the claimed invention cannot be achieved by the prior art.

Second, as recited in amended claims 1, 6, and 11, the reflecting plate 2 and the light guiding plate 3 are placed between the side walls 11 of the support frame 1. The support frame 1 includes at least one engaging element and two opposite side walls 11 with a recess 12 at each end. Thus, the claimed invention may secure a stack assembly including the supporting frame, the

reflecting plate and the light guiding plate, as recited in the amended claims. Such configuration increases the stability of the stack assembly during the assembling process.

However, in Kimura et al., the lamp holding unit 24 is long and narrow to accommodate a fluorescent tube 44, and such structure could not provide comparable stability. Kimura et al. does not disclose a stack assembly formed by the supporting frame, the reflecting plate and the light guiding plate. Under the structure and arrangement of the lamp holding unit 24, the result of the claimed stacked assembly cannot be achieved by the Kimura et al. reference. The supporting frame of the claimed invention not only supports the whole area of the stack assembly, but also provides remarkable fixedness and fastening. These structural features are significant to the claimed invention. Hence, the invention defined in the independent claims is unobvious and patentable over Kimura et al.

Besides, the groove in the independent claims is amended to specify that it clamps the stack assembly which also increases the fixedness. It is apparent that such a feature is not achieved by the prior art reference Kimura et al.

In addition, regarding claims 2, 3, 7, 8, 12, and 13, and paragraph [0032] of the present application, the U-shape or the C-shape of the groove facilitates the fastening of the stack assembly. In other words, the U-shape or C-shape groove is utilized to efficiently “clamp” the stack assembly. See paragraph [0028] of the present application which describes that “the groove of the side fixing frame 6 contains the lamp assembly 5 and clamps the supporting frame 1, the reflecting plate 2 and the light guiding plate 3.”

According to Kimura et al., the lamp guarding unit 26 is the traditional L-shape mode frame

as described in paragraphs [0007-0008] of the specification of the present application (Description of the Prior Art). This kind of structure could not efficiently and conveniently fasten the stack assembly, so the shape of the groove certainly affects the result of the present invention. The main effect and purpose of the invention focuses on the assembly process and result of the backlight module, rather than the operation of the backlight module. Hence, the sufficient fastening of the stack assembly is significant to the claimed invention. Kimura et al. lacks such structural features. Therefore, claims 1 - 3, 6 - 8, and 11 - 13 are unobvious over the prior art.

With at least similar reasons mentioned above, the methods recited in amended claims 6 - 15 are unobvious in view of the prior art.

Claims 4, 5, 9, 10, 14 and 15 depend on one of claims 1, 6, and 11, and consequently, they are also patentable over the prior art for at least similar reasons.

In brief, Kimura et al. merely discloses an L-shape lamp holding unit instead of the U-shaped or C-shaped groove recited in the present claims, so Kimura et al. is unable to achieve the effect of clamping the stack assembly. Since the side walls as well as the recesses are absent in Kimura et al., a wire passing through the recess and the protrusion also cannot be achieved under the arrangement of Kimura et al. Therefore, the invention defined in claims 1, 6, and 11 are unobvious and patentable.

It is respectfully submitted that the reference fails to teach or suggest all the claim limitations. Therefore, Applicant requests that the rejection of claims 1 - 15 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In light of the foregoing, Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application. Favorable action with an early allowance of the claims is earnestly solicited.

Respectfully submitted,

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